



JON M. HUNTSMAN, JR.  
Governor

GARY R. HERBERT  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil Gas and Mining

JOHN R. BAZA  
Division Director

June 21, 2007

CERTIFIED RETURN RECEIPT  
7005 2570 0000 4801 5150

Tony Aguiar  
Diversified Stone Products  
P.O. Box 265  
Fillmore, Utah 84631

Subject: Cessation Order, Diversified Stone Products, Wonder 2, S0410025, Sevier County, Utah

Dear Mr. Aquiar:

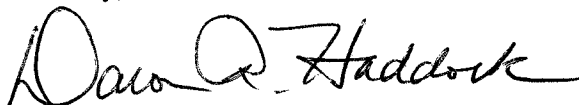
You have been previously notified of the requirement to post a reclamation surety and provide the permit fee for the above referenced mine site. Our records indicate that you have not completed this requirement. As a result you are considered to be out of compliance with the Utah Mined Land Reclamation Act and you are now being served with the enclosed Cessation Order.

Please note that this order requires you to cease all mining at this site. It also requires certain actions to be accomplished within certain timeframes (see the affirmative obligation section). You will also be assessed a penalty for your failure to comply. If you fail to complete these requirements additional enforcement action in the form of a Failure to Abate Cessation Order will be issued in accordance with Utah Administrative Code R647-6-102, which carries a fine of \$750 per day of non-compliance. We hope to avoid this situation.

If you disagree with this action, you have opportunity to appeal as outlined on page 2 of the Order.

If you have any questions, please call me at (801) 538-5325 or Lynn Kunzler at (801) 538-5310.

Sincerely,

  
Daron R. Haddock  
Permit Supervisor

DRH/vs  
Enclosures

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**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Oil, Gas & Mining**

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**Cessation Order** ☒ **No. MC-07-01-06**

Page 1 of 2

**CERTIFIED RETURN RECEIPT #** 7005 2570 0000 4801 5158

To the following Permittee or Operator:

Permittee/Operator Name: Diversified Stone Products

Mine Name: Wonder #2

☒ Surface ☐ Underground ☐ Other

County: Sevier

State: Utah

Telephone Number: 435-743-5842

Business Address: P.O. Box 265, Fillmore, UT 84631

Permit Number: S/041/025

Ownership Category: ☐ State ☒ BLM ☐ USFS ☐ Fee ☐ Other

Date of Inspection: May 23, 2007 Time: 4:30 pm to 5:00 pm

Under authority of the Utah Mined Land Reclamation Act, Section 40-8-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas, and Mining has conducted an inspection of above mine on above date and has found that a Notice of Violation or Cessation Order must be issued with respect to the conditions, practices, or violations listed. In accordance with Section 40-8-9, *Utah Code Annotated*, you are ordered to cease immediately the operations or activity described and to perform the required actions described within the designated time for abatement.

The undersigned representative finds that this order ☒ **does require cessation of all mining;**

☐ **does not require cessation of all mining.**

For this purpose, "mining" means development of, or extraction of a mineral deposit, including transportation within or from the mine site, concentrating, milling, evaporation, or other processing. Mining and/or reclamation operations not directly the subject of this order shall continue while this order is in effect. You are responsible for doing all work in a safe and workmanlike manner.

This order shall remain in effect until it is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas, and Mining.

Date of service/mailling: 6-21-07

Time of service/mailling 3:30 ☐ a.m. ☒ p.m.

Tony Aguiar

Permittee or Operator Representative

President

Title

Signature

Lynn Kunzler

Division of Oil, Gas & Mining Representative

Environmental Scientist/Reclamation Biologist

Title

[Signature]  
Signature

SEE REVERSE SIDE

**Notice of Violation / Cessation Order NO. MC-07-01-06**

Violation No. 1 of 1

Page 2 of 2

Nature of condition, practice, or violation:

Failure to pay annual permit fee for 2004, 2005, and 2006; and

Failure to provide adequate Reclamation Surety.

Provisions of act, regulations, or permit violated:

UCA 40-8-7(1)(i), R647-3-101(5) and (5.12)

UCA 40-8-14, R647-3-111

(Check box if appropriate:)

- ☐ Condition, practice, or violation is creating an imminent danger to health or safety of the public.
- ☐ Permittee/Operator is/has been conducting mining activities without a permit.
- ☐ Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.
- ☐ Permittee or Operator has failed to abate Violation(s) No. \_\_\_\_\_ included in Notice of Violation No. or Cessation Order No. M \_\_\_\_\_ within time for abatement originally fixed or subsequently extended.

Mining activity to be ceased immediately:

All mining related activities.

Reclamation activities may continue under this cessation order.

Affirmative obligation(s) or required action and abatement time (if applicable):

Within 30 days of receipt of this notice, pay current and delinquent permit fees totaling \$600.00 to the Division.

(Delinquent fees total \$450.00, current fees (billing sent on June 20, 2007) total \$150.00)

Within 30 days of receipt of this notice, provide a reclamation surety and reclamation contract for this site. The amount of surety required is \$20,700.00. Please contact Jed Pearson at (email) bondcoordinator@utah.gov or (phone) (801)538-5382, to obtain appropriate forms for the surety and reclamation contract. In lieu of providing the reclamation surety and reclamation contract, the operator may compete reclamation of the site within the 30-day time frame.

pb

cc: Michael Jackson, BLM  
Daron Haddock, DOGM  
File

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